

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

ROBERT C. LOVE,	)	
	)	
Movant,	)	
	)	
vs.	)	Case No. 4:08CV01619 ERW
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**MEMORANDUM AND ORDER**

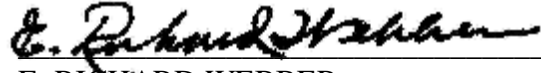
This matter comes before the Court on Movant Robert C. Love's Notice of Appeal and Request for Certificate of Appealability [doc. #9]. On April 8, 2009, this Court entered an Order [doc. #6] denying Movant's Motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody. The Court's April 8, 2009 Order also stated that Movant was denied a certificate of appealability.

A certificate of appealability will be issued only if the applicant has made a substantial showing of the denial of a constitutional right and has indicated which specific issue or issues satisfy the showing required. 28 U.S.C. § 2253(c)(2)-(3). Additionally, "the petitioner 'must demonstrate that the issues are debatable among jurists of reason; that a court could resolve the issues [in a different manner]; or that the questions are adequate to deserve encouragement to proceed further.'" *Randolf v. Kemna*, 276 F.3d 401, 403 n.1 (8th Cir. 2002) (alteration in original) (quoting *Barefoot v. Estelle*, 463 U.S. 880, 893 n.1 (1983)). Movant has failed to meet this burden.

Accordingly,

**IT IS HEREBY ORDERED** that Movant's Request for Certificate of Appealability is  
**DENIED.**

Dated this 17th Day of April, 2009.

A handwritten signature in black ink, appearing to read "E. Richard Webber", is written over a horizontal line.

E. RICHARD WEBBER  
UNITED STATES DISTRICT JUDGE